



0300  
03AO

Docket No. ORT-1273

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Andrew L. DARROW, Jenson QI, and Patricia ANDRADE-GORDON

Serial No.: 09/607,745 Unit: N/A

Filed: 30 June 2000 Examiner: N/A

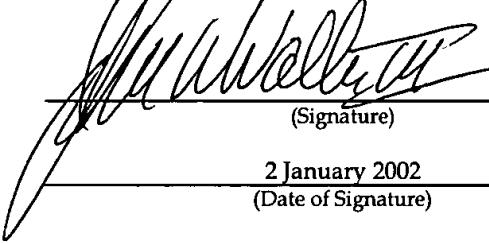
For: **DNA ENCODING HUMAN SERINE PROTEASE D-G**

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner for Patents, Washington, D.C. 20231 on

2 January 2002

(Date of Deposit)

John W. Wallen, III, Esq.  
(Name of applicant, assignee, or Registered Representative)

  
(Signature)

2 January 2002

(Date of Signature)

Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

- In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.
- In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with  the first or  second After Final Submission, therefore:
  - Statement in Accordance with §1.97(e) (attached); or
  - Please charge Deposit Account No. 10-0750/ORT-XXXX/JWW the fee of \$180.00 as set forth in §1.17(p).
- In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

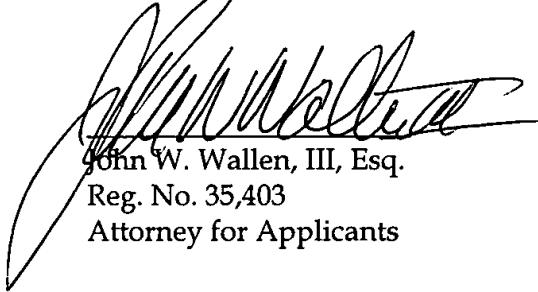
- Statement in Accordance with §1.97(e) (attached); or
- Please charge Deposit Account No. 10-0750/ORT-XXXX/JWW the fee of \$180.00 as set forth in §1.17(p).
- In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).
- Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith, EXCEPT THAT:
  - In view of the voluminous nature of reference WO 00/12708 (781 pages), and the likelihood that this reference is available to the Examiner, a complete copy is not enclosed herewith, however, the complete citation as received from the ISA/US is attached.
  - If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
- There are no listed references which are not in the English language.
- The relevance of those listed references which are not in the English language is as follows:
- Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.



Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

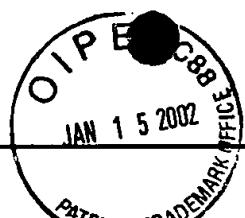
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ORT-1273/JWW. This form is submitted in triplicate.

Respectfully submitted,



John W. Wallen, III, Esq.  
Reg. No. 35,403  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, New Jersey 08933-7003  
(858) 784-3239  
DATE: 2 January 2002



**SUBMISSION UNDER MPEP 609 D**

Page 1 of 1

<i>Application Number</i>	09/607,745
<i>Filing Date</i>	30 June 2000
<i>First Named Inventor</i>	DARROW
<i>Group Art Unit</i>	N/A
<i>Examiner Name</i>	N/A
<i>Attorney Docket Number</i>	ORT-1273

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	U.S. Patent Document		Pages, Columns, Lines, where relevant passages or relevant figures appear
			Number	Kind Code <sup>2</sup> (if known)	
		Bandman et al.	6,203,979		

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	Foreign Patent Document			Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
			Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>		
		INCYTE PHARMACEUTICALS, INC.		WO 99/36550			
		GENENTECH, INC.		WO 00/12708			

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials <sup>8</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Database SPTREMBL, Accession No. Q9NRS4, <u>Wallrapp</u> et al., "A Novel Transmembrane Serine Protease (TMPRSS3) Overexpressed in Pancreatic Cancer", Cancer Research (2000) 60:2602-6.	
		Database GENSEQ, Accession No. AAY99417, <u>Baker</u> et al., "New Mammalian DNA Sequences Encoding Transmembrane Polypeptides", WO 00/12708-A2, Claim 12, Figure 156.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--